

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Mary G. Clunie,)	C/A No. 4:16-cv-02822-RBH-KDW
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Horry County Sheriff's Department;)	
Phillip Thompson, Sheriff; Paul Butler,)	
Former Chief Deputy; and Steve Parker,)	
Former Captain,)	
)	
Defendants.)	

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of her constitutional rights pursuant to 42 U.S.C. § 1983. On December 7, 2016, Defendants filed a Motion to Dismiss pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure. ECF No. 31. In an order the court advised Plaintiff of the importance of such motions and of the need for her to file adequate response pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975). ECF No. 34. Plaintiff was specifically advised that if she failed to respond adequately, the Defendants' Motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order Plaintiff has failed to respond to the Motion. As such, it appears to the court that she does not oppose the Motion and wishes to abandon this action against Defendants. Based on the foregoing, Plaintiff is directed to advise the court whether she wishes to continue with this case and to file a response to Defendants' Motion for Summary Judgment by **February 13, 2017**. Plaintiff is further advised that if she fails to respond, this action will

be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

January 18, 2017
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style with a large initial 'K' and a distinct 'D'.

Kaymani D. West
United States Magistrate Judge